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Docket No.: 00306-00142-USU
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Johnnie R. Roberts et al.

Application No.: 09/916611

Confirmation No.: 8709

Filed: July 27, 2001

Art Unit: 1616

For: MANUFACTURE AND USE OF A
HERBICIDE FORMULATION

Examiner: A. N. Pryor

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

In response to the Office Action dated May 3, 2006, please amend the above-identified
U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2
of this paper.

Remarks/Arguments begin on page 26 of this paper.

463649

PTO/SB/97 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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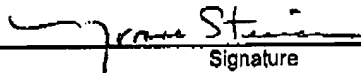
Application No. (if known): 09/916611

Attorney Docket No.: 00308-00142-USU

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on August 17, 2006
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Amendment Cover Letter
Submission of Amendment
Amendment in Response to Non-Final Office Action

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FAX TRANSMISSION

MS Amendment

DATE: August 17, 2006

PTO IDENTIFIER: Application Number 09/916611-Conf. #8709
Patent Number

Inventor: Johnnie R. Roberts et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP
Ashley I. Pezzner

PHONE: (302) 658-9141

Attorney Dkt. #: 00306-00142-USU

PAGES (Including Cover Sheet): 35

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FEE TRANSMITTAL For FY 2006		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/916,811-Conf. #2968
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Filing Date	July 27, 2001
		First Named Inventor	Johnnie R. Roberts
		Examiner Name	A. N. Pryor
		Art Unit	1616
		Attorney Docket No.	00306-00142-USU

METHOD OF PAYMENT (check all that apply)	
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<input type="checkbox"/> Money Order	<input type="checkbox"/> None
<input type="checkbox"/> Other (please identify): _____	
<input type="checkbox"/> Deposit Account	Deposit Account Number <u>03-2775</u> Deposit Account Name: <u>Connolly Bove Lodge & Hutz LLP</u>
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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
						Small Entity	
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						50	25
Each independent claim over 3 (including Reissues)						200	100
Multiple dependent claims						360	180
Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims			
75	- 62 =	x	=	Fee (\$)	Fee Paid (\$)		
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)				
5	- 5 =	x	=				
HP = highest number of independent claims paid for, if greater than 3.							
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
	- 100 =	/ 50	(round up to a whole number) x	=			
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge):							

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	35,646
Name (Print/Type)	Ashley I. Pezzner	Telephone	(302) 658-9141
		Date	August 17, 2006

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FEE TRANSMITTAL For FY 2006		Complete if Known	
		Application Number	09/916,611-Conf. #2968
		Filing Date	July 27, 2001
		First Named Inventor	Johnnie R. Roberts
		Examiner Name	A. N. Pryor
		Art Unit	1616
		Attorney Docket No.	00308-00142-USU
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT	(\$)	0.00	

METHOD OF PAYMENT (check all that apply)	
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	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
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Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							
							Small Entity
							Fee (\$)
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
							180
Total Claims							
Extra Claims							
Fee (\$)							
Fee Paid (\$)							
Multiple Dependent Claims							
Fee (\$)							
Fee Paid (\$)							
Indep. Claims							
Extra Claims							
Fee (\$)							
Fee Paid (\$)							
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Extra Sheets							
Number of each additional 50 or fraction thereof							
Fee (\$)							
Fee Paid (\$)							
4. OTHER FEE(S)							
Non-English Specification, \$130 fee (no small entity discount)							
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SUBMITTED BY			
Signature	<i>Ashley I. Pezzer</i>	Registration No. (Attorney/Agent)	35,646
Name (Print/Typo)	Ashley I. Pezzer	Telephone	(302) 658-9141
		Date	August 17, 2006

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